

IN THE DISTRICT COURT

Dooney, Hickey and Kelly Plead Not Guilty in Judge Pemberton's Court.

THEY WANT THE CASE TRIED

Attorneys for the Defense Anxious to Have the Trial Ended—Williams Not Insane—Other Cases.

BUTTE, Nov. 27.—The Penrose suspects, Dooney, Hickey and Kelly, were in Judge Pemberton's court this morning and each entered a plea of not guilty to the charge of murder. They waived further rights and said they were ready to have the case set for trial at once. Prosecuting Attorney Baldwin asked the court to pass the setting of the case for trial until next Monday, intimating that the state had some matters to attend to yet in regard to the case. Attorney Campbell for the defense objected to a continuance and said it was an injustice to the defendants to put the case off even for a day; that they, especially Hickey, are under constant expense in waiting and the matter should be settled. If the prosecution had any motion to make they should do so now, so that the defense could answer them, or else have the case set for trial subject to the motions. Attorney Cotter, also for the defense, said that the case should be set for trial so that Mr. Hickey would return to his business in Boise, which was suffering every day by his absence. Besides, he received a telegram last night that his little child was very ill and was asked to come home at once. Mr. Halden, assistant prosecuting attorney, replied that they would waive the presence of Mr. Hickey and allow him to go home, but Campbell did not think the court could do anything in the absence of any one of the defendants. Baldwin was willing that the case be passed until such time as would suit the convenience of Mr. Hickey, but the defendants counsel could not see it that way. Judge Pemberton then cut the arguments short by saying that he would pass the case until tomorrow morning, when it would be called and either set for trial or passed, according to the court's judgment in the matter; and by that time, too, they could learn whether Mr. Hickey's child was better or worse. The judge also gave the attorneys to understand that the case would not be set for trial at the present term of court.

Williams Not Insane.
Thomas Williams, the fellow who was arrested about three weeks ago for throwing a stone through a passenger car window and striking a Mrs. Hulda Wilkins, and who was charged with assault with intent to murder, was examined before Judge Pemberton on the matter of his alleged insanity. The charge of insanity against the man was made by the jailor, who thought that he acted a little queer for a sane man. The other court officers thought he was feigning insanity for the purpose of escaping the more serious charge against him. Jailor Griffith and Deputy Glover testified that Williams acted silly and talked in a rambling manner, and in their opinion he was insane. Dan McMahon, who is serving a sentence for petty larceny, thought Williams was insane because he would talk and laugh to himself, and ask foolish questions of the other prisoners. He had also heard that Williams had been in an asylum in Washington before he came to Butte. Another thing which led McMahon to believe that Williams was insane was the fact that when he first came to jail he was very lively, in fact, he was alive all over, and told the other prisoners that he had been in that institution for four months, but that such little things did not bother him. In answer to questions Williams himself said he was born in England, had been in love lots of times, never been disappointed enough to affect his mind; had paid some attention to religion and at one time belonged to the Salvation army. He never was in an asylum and had never been charged with insanity before; is a hard drinker, and had been out over the eye while in Portland and almost died of it. He had been arrested several times for begging, but thought it no crime to throw a stone through a car window, for he had stones thrown at himself a number of times. Williams thought he was perfectly sound and knew right from wrong. The jury agreed with him and brought in a verdict to the effect that the man was not insane. Assistant Prosecuting Attorney Campbell then asked that the original charge of attempted murder against the man be set for trial, and the judge named next Tuesday as the day.

Information Filed.
County Attorney Baldwin was granted leave this morning to file information against Frank Kelley and Thomas Francis, charging them with burglary in the first degree. The former is a man who robbed some lodgers in a house at No. 4 and 3 North Main street, and Francis performed a similar act for some boarders at the old St. Nicholas hotel on East Broadway. The men were brought into court for an arraignment and were granted the statutory time in which to plead. Judge Keithley was appointed to defend Kelley and Judge Waldron for Francis.

The Ledford Holdup.
Cosgrove, Burke and Sparks, the men accused of holding up B. A. Ledford some time ago, were brought into court again this morning and their cases set for trial next Tuesday. A warrant was also ordered issued for Mr. Ledford, as prosecuting witness, who could not be found when the case was set for trial before.

In Department I.
Judge McHatten's court was in session for about half an hour today. The injunction case of the Montana Lime and Flux company against the Big Hole Lime and Flux company was continued for trial until Dec. 8, and the case of Jacobson & Graceli vs. M. Bernheim was continued for the term.

A suit to recover on a promissory note for \$281.23 was commenced today by William Reckisiek against Frederick Felke.

John E. Lloyd, as sheriff, and the county commissioners today filed an agreed case in Judge McHatten's court, in which the county is suing the sheriff for the amount due and report. On due proof being made in the case of Geoffrey Lavell et al. vs. Jell & McLean, judgment was entered for plaintiff in the sum of \$1,200 and \$25.40 as costs.

Patrick Collins, a native of the Emerald Isle, today took the oath of allegiance and was granted final naturalization papers. To-morrow the time of both courts will be given up again to motions and demurrers.

We sell heaters for \$3 and upwards. H. J. Blume, 78 West Park street.

There is no bit cigar to be compared with the Irwin.

NOT AFRAID OF THE COLD.

James Canovan Found on the Street Minus Overcoat and Shoes.

BUTTE, Nov. 27.—Tonight Officer Cantwell noticed a man without coat or shoes, hurriedly walking along Park street. He accosted the lightly clad individual and was soon convinced that he was not exactly right mentally. The man had a case knife in his hand which he said he was carrying to defend himself against two men who had been chasing him all over the mountains with a gun to kill him. The knife he carried was ground down to a point with an edge almost as keen as a razor and would have been an ugly weapon had the owner attempted to use it. The officer assured him protection and the man gave him the knife and willingly accompanied him to the police station. There the man gave his name as James Canovan, and said he had been chopping wood near where the two men who had been chasing him also worked. He said he had taken off his coat and shoes so as to be able to run faster, and finally threw them away as they were too burdensome to carry.

FROMENTIER'S CASE.

He Claims to Know Nothing About the Murder of DeVal.

BUTTE, Nov. 27.—County Attorney Parker of Jefferson county was in the city today looking into the Fromentier murder case, the crime of which was committed in the Jefferson county low lands a few weeks ago, and the inquest over the victim, DeVal, held in this city. Fromentier is now in jail at Boulder. The complaint charging him with murder was read to him yesterday, and his hearing set for next Tuesday before Justice of the Peace Warner.

Fromentier now claims that he never made a statement confessing the crime, and says if he did make it he was so drunk that he did not know what he was talking about, and remembers nothing about it now. He denies the killing. When asked if he desired an attorney he said he did not, although he had engaged one in this city. The papers in the inquest have not yet been sent to Boulder. Mr. Parker returns to-morrow afternoon.

THE CARLETONS.

Another Night of Light Opera at Maguire's.

BUTTE, Nov. 27.—There was another large audience at Maguire's this evening, and the Carleton Opera company entertained the audience thoroughly. "The Gondoliers" does not afford so full scope for the powers of the company as does "Indigo" and "Nanon," but the opera is full of pleasing music and the company made the most of it. The absence of scenery and the poverty of the orchestra detracted from the success of the presentation. On the whole, however, the audience was well entertained and the hit the company has made was confirmed. "Nanon" will be presented to-morrow afternoon at a matinee at which regular matinee prices will prevail. In the evening the company will conclude its entertainment with a repetition of "Indigo."

THE ROOF CAVED IN.

One of the Workmen at the Ramsdell-Parrot Mine Injured.

BUTTE, Nov. 27.—An accident occurred in the Ramsdell-Parrot mine this evening, by which a miner was considerably injured. The man was at work in one of the drifts when a part of the roof caved in and fell on to him, wounding him about the head and body. No one seemed to know the name of the man. Shortly after the accident the foreman of the mine was seen, and he said the only name the man apparently had was Dennis, by which everybody about the mine knew him. The man is said to be a Frenchman, residing with some relatives in South Arizona street.

BOYCE ON DECK AGAIN.

He Recopens His Old Stand and is Prepared to See His Friends.

BUTTE, Nov. 27.—The host of friends of J. R. Boyce, Jr., will be delighted to know that he is again in the swim and the old stand will be reopened at the northwest corner of Main and Broadway to-morrow morning. Prices are announced to be cheaper than can elsewhere be found in Butte. Mr. Boyce's popularity is so great that the mere announcement that he can be found at the old store will be sufficient to crowd the establishment to the doors.

The Tickets Were no Good.

BUTTE, Nov. 27.—A local member of the National Ticket Brokers' association wishes it understood that they had nothing to do with the sale of the tickets to the two ladies who were put off the train at Silver Bow while bound for Seattle yesterday. In conversation with one of these gentlemen to-day he stated that certain Park and Main street pawnbrokers, who were not members of the Ticket Brokers' association, but who represent themselves as such, made a practice of selling bogus railroad tickets to travelers. Any one who purchases transportation of these men is sure to come to grief when they present it to conductors for their fare. He had known of many cases never made public in which people had been victimized in this manner.

Overcome By Foul Air.

BUTTE, Nov. 27.—Between 12 and 1 o'clock this morning a couple of miners working in an upraise on the 600-foot level of the Anaconda were overcome by foul air and fell to the floor below, a distance of 18 feet. One of the men was injured about the back, only slightly, and the other escaped with a few cuts and bruises. Two physicians were summoned who attended the men. The names of the miners could not be learned.

Want No More Chinese.

BUTTE, Nov. 27.—In response to the decided public sentiment against Chinese labor in Butte, Paul Davis, of the Monogram, and Fred Wey of the McDermott, have expressed their intention of doing away altogether with this class of help in their respective establishments.

Young Folk's Party.

BUTTE, Nov. 27.—The young folks of the M. E. church gave a pleasing little entertainment last night under the title of "Lila." There was a large and appreciative audience and each participant in the programme rendered his part well. A neat sum was realized.

Mineral Land Lensed.

BUTTE, Nov. 27.—A paper was filed for record to-day whereby Lee Mantle leases to William Leyshon and others all his right and title to all portions of the Parrot addition which lie beneath the surface of said addition, excepting what lies under the Anderson lode claim. The lease extends to Nov. 1, 1892, and the consideration is that the lessors work the mine property and economically and to pay the owner 25 per cent. of all ore extracted during the term of the lease. At the expiration of the lease they will have the privilege of buying the property for \$30,000.

If you want your stoves moved, cleaned and put up, call up telephone 52, H. J. Blume, 78 West Park street, opposite Central school building.

JAMES MURPHY'S JOB

Facts About the Office of Public Administrator.

SOMETIMES A LOSING GAME

Trouble and Expense of Settling Matters Pertaining to Small Estates—Some Principally Fees.

BUTTE, Nov. 27.—Public Administrator Murphy is wrestling with an interesting case in which he is doing some heavy figuring to get out even. He was appointed nearly two years ago as administrator of the estate of the man Ward, who was killed in a prize fight at Crystal Springs a year ago last December. After looking the thing up and correlating the "estate" he found it to consist of a tool chest, containing a few dollars worth of tools and a small trunk with some old clothes. At a public sale the whole "estate" would not be worth more than \$10. The administrator is in a quandary, as he will have to settle up the estate and go through the same formality as if it was worth half a million. The expense of court fees, cost of advertising, auctioneer and attorney fees, will come to nearly \$100, which Mr. Murphy is expected to deduct and then get his own money back and his commission by taking six per cent. on the first \$1,000 of the receipts from the sale. That is why the public administrator pronounces his name "Morefee."

"I strike more cases of that kind than any other, but they are coming rather thick," said Mr. Murphy, and he proceeded to unfold a tale of particular woe. The public administrator is required by law to apply for letters of administration of every real estate, however great or small, and his remuneration must come out of the per cent. on the first \$1,000, and 4 per cent. on the remainder. The statute allows him additional fees for extra service, and thus Mr. Murphy has managed to come out even until a few days ago, when Judge McHatten cut him off on that score, as the "extras" were coming possibly too heavy, and made him depend entirely on his 6 per cent. commission for a revenue.

About a year ago there died in the city a man named Shorter and left an estate of \$4,500, an order watch and two \$500 notes secured by a chattel mortgage on a head of cattle in Paradise valley, Nevada. A hard winter followed and all the cattle in Paradise died. The public administrator paid the court and attorney fees, liquidated the appraisers' salaries, and put up his cold cash for the publication of several semi-annual statements. The court ordered him to sell the "estate," but it did not quite cover the expenses, and the county had to pay the undertaker 21 cents for burying the dead man.

"I tell you what," said Mr. Murphy, "if I could settle up all my accounts as public administrator and come out even, I'd like to make somebody a gift of the office." And then after reflecting a moment, he said, "and the two after it costing a fellow \$1,000 to get elected to the office."

Another case of interest was that of the man Nablock, who was burned to death in the Chicago house last summer. He left \$300 and Mr. Murphy was appointed administrator of the estate. The coroner held an inquest and then had the body embalmed and shipped it to friends in the East. After all expenses were paid out of the estate there remained \$6, upon which the public administrator turned his official duties, and in some unexplained manner managed to get 42 cents out of it for his commission.

"But then there are some good estates also," said the administrator, "on which a little is made. There was the Garrison estate, for instance, in which I received a commission of about \$30,000, and the Barriere estate where there was about \$4,000. In the J. R. Wade estate, for which I have just been appointed administrator, there will also be something like \$7,000. But this class of cases are greatly in the minority, and if we were not for them the office of public administrator would be a little more than a losing game."

Real Estate Transfers.

BUTTE, Nov. 27.—The following transfers were recorded at the office of the county clerk since our last report: Albert Sured, Patrick Nolan, one eighth interest in the Pipe quartz lode claim, 500 00
Wickup, one-eighth interest in the Stowaway lode claim, 500 00
W. F. Cobban and wife to Laura R. Staugh, portion of lot 2, block 6, central addition to Butte, 600 00
Pat Nolan to E. Maloney, one-eighth interest in the Stowaway lode claim, 500 00
Cord, one-eighth in the Manhattan, one-sixth in the Wickup, 800 00
Frank S. Oeschel and wife to Samuel H. Stuart, lot 16, block 6, Butte proper, 1,200 00
Ther Younger to C. M. Fryor, one-third interest in the Dexter mine, Bald Mountain district, 100 00
David Kaufman to John Brannigan, all interest in the Gray cloud, Red Cloud, Little Maggie and Blue Eyed Nellie lode claims, Summit valley, 300 00
Patrick N. Hanley and wife to Daniel E. Barnes, lot 4, block F, Bell and Butte addition, 850 00

Mining Documents Filed.

BUTTE, Nov. 27.—The following mineral locations were filed for record to-day in the office of the county recorder: Location Notice—Lucky Tom, unorganized district, one-quarter of a mile south of Columbia gardens, by John Rooney and others.
Affidavit of Annual Labor—Tyronne, Summit valley district, by Andrew J. Davis, Jr., and others.
Location Notice—Allerton, Moose Creek district, by Nat McTucker and others.

Many Delinquent Tax Payers.

BUTTE, Nov. 27.—Nearly \$300,000 in taxes remain unpaid, and Harry C. Kessler with his assistants in the county treasurer's office are of the opinion that a larger number than usual will have to pay the added assessment this year. Only two days remain in which to pay taxes before Dec. 1, and on and after that date 10 per cent. must be added to the assessment. This is not a matter of privilege on the part of the county treasurer, but is obligatory.

If you want a first class cigar, ask for the Irwin.

IN CUSTODY.

Chief of Police Leyden's Visit to Helena—From the U. S. Marshal.

BUTTE, Nov. 25.—Chief Leyden, who is spending his honeymoon at Helena, is evidently having a serious time of it among the blue coats on the other side of the range, or else he is the victim of a dark and diabolical plot. This afternoon, C. C. Rhodes, the city detective, received the following dispatch from United States Marshal Furay: "Leyden in trouble and have him in custody. Will take him to Butte to-night. Mrs. Leyden, indisposed and will remain here until better."

The fact that Furay was the author of the telegram prevented the boys from taking steps to assist their chief, as the blonde marshal is too well known to them as a huge jester, and consequently no delegation of presents is said to be awaiting the chief upon his return.

The Public Library Scheme.

BUTTE, Nov. 27.—The public library scheme has hung fire so long that the ladies of the W. C. T. U. have determined to put the books belonging to them in circulation. There are about 300 volumes, which for some time have been in the Murphy reading room. The books will not be removed, but some one of the ladies will act as librarian, and for 75 cents a month one will be entitled to membership in the library.

How Breakfast and Dinner Differ.

From the Chicago Tribune.

After a quick glance around the hotel office he put his valise on the counter and asked doubtfully:

"What time do you have breakfast?"

"It's ready from 6 to 9," replied the clerk.

"No later?"

"No, well, if you want a late breakfast," explained the clerk, "you can have it between 12 and 2."

"Ah," said the traveler as he put his name on the register, "that's something like it. I'm a late riser and I was rather afraid—It's breakfast you serve then?"

"Certainly, sir; certainly. We serve both breakfast and dinner during that time."

The traveler had a call for 12:30 put down for him, and at 1 o'clock the next day he was sitting at a table with roast beef and seven kinds of vegetables in front of him, while "pie" stared at him from the bill of fare.

He leaned over to the clerk who was sitting next to him and asked him with the air of a man with a grievance:

"Do you call this breakfast?"

"Certainly."

"Are you eating breakfast?"

"No; I called for dinner. If you wanted dinner why didn't you say so?"

"Say so! Say so! What's the difference?"

The clerk looked surprised.

"Where do you live?" he asked; "in the back woods? Can't you see that you've got fried potatoes and I've got baked?"

"When the traveler had recovered somewhat from his surprise he said:

"I suppose you serve a late dinner, too?"

"From 6 to 8," replied the clerk.

"Same time as supper?"

"Of course."

"Serve baked potatoes with your cold meat?"

"How do you guess it?"

Steamship Companies Pool.

LONDON, Nov. 27.—The chief continental trans-Atlantic steamship companies, the German, Dutch and French, with the Red Star company, signed an agreement pooling trade, conveying steamer and between deck passengers. The object of the arrangement is to diminish the competition, which, it is stated, has so long been pushed past the point where profit could accrue.

For Rent—Furnished rooms 317 South Montana street, Butte.



OF course there are people who would call the above arrival more interesting than anything we can show—and we don't blame them; but there are others who would care more to see the beautiful new things in Jewellery that we are constantly receiving.

HIGHT & FAIRFIELD, JEWELERS.

BUTTE, MONTANA.

CASE, COURTENAY & GRAVELLE CO.

None But

New Goods

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YOU CANNOT FIND OUT

Our Prices

Unless You Come to See Us.

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New Winter Garments

Received last week, in addition to what we had in stock.

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OWSLEY BUILDING,

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JOHN MAGUIRE, PROPRIETOR AND MANAGER.

Wednesday, Thursday, Friday, Saturday.

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Ladies' and Children's Matinee Saturday.

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WEDNESDAY NIGHT,

The Domestic Comedy-Drama,

FERNCLIFF.

THURSDAY NIGHT,

The Ideal Comedy-Drama,

THE BURGLAR.

FRIDAY NIGHT,

The Picturesque Military Drama,

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Evenings, 25c and \$1. Matinee, 25c, 50c and 75c.

* Seats at Calkins' without extra charge.

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JOHN MAGUIRE, PROPRIETOR AND MANAGER.

TWO NIGHTS ONLY!

MONDAY, NOVEMBER 30!

THE LAUGHING FESTIVAL!

THE WHIZZING! THE WHIZZING! THE WHIZZING!

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